

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

VONDALE LAMAR BRACEY,

Petitioner,

-vs-

Case No. 5:17-cv-364-Oc-36PRL

SECRETARY, DEPARTMENT
OF CORRECTIONS,

Respondent.

_____/

ORDER

This matter comes before the Court upon consideration of Petitioner’s “Writ of Error Coram Nobis” (Doc. 56), which the Court construes as a Motion to Alter or Amend a Judgment pursuant to Fed. R. Civ. P. 59(e). It appears Petitioner moves the Court to reconsider its August 31, 2020, Order dismissing his petition for a writ of habeas corpus. (Doc. 55.) Because the petition (which challenged the calculation of Petitioner’s release date) was dismissed for failure to exhaust administrative remedies, there was no formal judgment entered.

“The only grounds for granting [a Rule 59] motion are newly-discovered evidence or manifest errors of law or fact.” *Arthur v. King*, 500 F.3d 1335, 1343 (11th Cir. 2007) (quoting *In re Kellogg*, 197 F.3d 1116, 1119 (11th Cir. 1999)). Petitioner has neither presented newly-discovered evidence nor demonstrated that the Court

committed a manifest error of law or fact in dismissing his petition. The Court, therefore, concludes that Petitioner has failed to provide good cause for this Court to alter or amend the August 31, 2020 Order. *See Cover v. Wal-Mart*, 148 F.R.D. 294, 295 (M.D. Fla. 1993). Accordingly, Petitioner's motion (Doc. 56) is **DENIED**.

DONE AND ORDERED in Tampa, Florida on December 7, 2020.


Charlene Edwards Honeywell
United States District Judge

Copies to:
Petitioner *pro se*
Counsel of Record